

REMARKS

Reconsideration of the present application in view of the above amendments and following remarks is respectfully requested. Claims 1-79 were pending. As set forth above, Applicants have canceled claims 1-79 without prejudice to the filing of any divisional, continuation, or continuation-in-part application. Applicants hereby submit new claims 80-113. Support for the new claims may be found in the application as originally filed, in part, at page 39, line 17 through page 47, line 4 (see, e.g., claims 80-103); at page 48, lines 3-4 (see, e.g., claim 104); at page 8, line 20, at page 51, line 26 through page 52, line 13, at page 55, lines 11-17, and Example 47 at pages 83-84 (see, e.g., claims 105-113). Applicants respectfully submit that the structures of claim 80 correspond to compounds 100-102, 104, 106, 108, and 110, and that the structures of claim 88 correspond to compounds 112, 116, 118, 120, 122, 134, 144, 146, 152, 154, 156, 166, 168, 178, and 180. No new matter has been added. Therefore, claims 80-113 are currently pending.

REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

In the Office Action dated February 27, 2003, claims 37, 44-48 and 72-79 were rejected under 35 U.S.C. §112, second paragraph, as indefinite for various reasons.

Applicants respectfully submit that this ground of rejection has been rendered moot because claims 37, 44-48 and 72-79 have been hereby cancelled without prejudice. Accordingly, Applicants respectfully request that this rejection be withdrawn.

CLAIM OBJECTIONS

In the Office Action, claims 29, 32-34, 40-48, 50, 53-55, 72, 73, 75, 77 and 78 were objected to for various informalities.

Applicants respectfully submit that these grounds of objection have been rendered moot because claims 29, 32-34, 40-48, 50, 53-55, 72, 73, 75, 77 and 78 have been hereby cancelled without prejudice. Accordingly, Applicants respectfully submit that these objections have been obviated.

REJECTION UNDER 35 U.S.C. § 101 (DOUBLE PATENTING)

In the Office Action, claims 1-15, 19-41, 44, 45, 48-73 and 75 were rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-33 and 35-68 of U.S. Patent No. 6,511,962 (Borders *et al.*).

Applicants respectfully submit that this ground of rejection has been rendered moot because claims 1-15, 19-41, 44, 45, 48-73 and 75 have been hereby cancelled without prejudice. Accordingly, Applicants respectfully request that this rejection be withdrawn.

REJECTION UNDER OBVIOUSNESS-TYPE DOUBLE PATENTING

In the Office Action, claims 16-18, 42, 43, 46, 47, 74 and 76-79 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 1-80 of U.S. Patent No. 6,511,962.

Applicants respectfully submit that this ground of rejection has been rendered moot because claims 16-18, 42, 43, 46, 47, 74 and 76-79 have been hereby cancelled without prejudice. Accordingly, Applicants respectfully request that this rejection be withdrawn.

The Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the pending claims in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is urged to contact the undersigned attorney if there are any questions prior to allowance of this matter.

Respectfully submitted,

Seed Intellectual Property Law Group, P.C.

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